

## REMARKS

Applicants hereby petition to delete Mark LaPointe as a named inventor in this application. It has been found that this application, as filed, through error and without deceptive intent, improperly set forth the inventorship of Mark LaPointe. The following sets forth the reasons for correcting inventorship in this application:

1. This application is a continuation of an earlier (parent) application filed July 19, 2001, which has since matured into U.S. Patent No. 6,697,719.
2. A Notice to File Missing Parts dated August 29, 2001 (exhibit A) was issued in the parent, which required, inter alia, an oath or declaration including Mark LaPointe's signature.
3. Applicants responded to the Notice to File Missing Parts by submitting: (1) an Amendment, Petition and Fee to Delete an Erroneously Named Inventor Under 37 C.F.R. § 1.48(a) (exhibit B) and (2) a Petition and Fee to Suspend Rules Under 37 C.F.R. § 1.183 (exhibit C), both on February 28, 2002. These items were submitted to delete Mark LaPointe as an inventor in the parent application.
4. Applicants subsequently submitted a Supplement to the Amendment, Petition and Fee to Delete an Erroneously Named Inventor Under 37 C.F.R. § 1.48(a) on March 5, 2002 (exhibit D). This item included an executed statement by Mark LaPointe stating that he did not believe he was an inventor of the parent application and that the listing of him as an inventor was not through any deceptive intent on his part.
5. An Updated Filing Receipt dated May 6, 2002 (exhibit E) was issued that did not list Mark LaPointe as an inventor.

6. In an Amendment dated January 8, 2003 (exhibit F), Applicants requested the status of the Supplement to the Amendment, Petition and Fee to Delete an Erroneously Named Inventor Under 37 C.F.R. § 1.48(a) on March 5, 2002. See page 3.

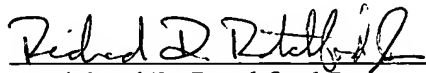
7. In an Office Action dated April 30, 2003 (exhibit G), the Examiner responded by stating, "Mr. LaPointe is not an inventor of the claimed invention." See page 2.

8. Applicants believe the inventorship in this application is the same as that of its parent application.

Accordingly, Applicants hereby petition that this application be corrected in accordance with 37 C.F.R. § 1.48(a) by deleting Mark LaPointe as a named inventor.

Early and favorable consideration of this application is requested.

Respectfully submitted,

By:   
Richard D. Ratchford Jr.  
Reg. No. 53,865  
Attorney for Applicants

F.CHAU & ASSOCIATES, LLP  
1900 Hempstead Turnpike, Suite 501  
East Meadow, New York 11554  
Tel: (516) 357-0091  
FAX: (516) 357-0092